

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TENNESSEE
EASTERN DIVISION AT JACKSON**

FILED BY 4 D.C.
05 NOV 30 PM 1:30
CLERK, U.S. DISTRICT COURT
W.D. OF TENN. JACKSON

**THE PROCTER & GAMBLE PROFIT
SHARING TRUST AND EMPLOYEE
STOCK OWNERSHIP PLAN, by and
through its Trustees,**

Plaintiff,

v.

CASE NO. 05-1365-T-An

**BLANCHE M. SIMMONS,
BRIAN C. SIMMONS,
CARNEACE L. JONES, and
JOHN DOE,**

Defendants.

ORDER TO FREEZE ASSETS AND FOR ACCOUNTING

This matter came on for consideration on The Procter & Gamble Profit Sharing Trust and Employee Stock Ownership Plan, by and through its Trustees' ("P&G") Verified Complaint and Application for Injunctive Relief and the Declaration of Yolanda Simmons. For good cause shown, this Court GRANTS P&G's application for injunctive relief in the following particulars:

1. Temporarily restraining Defendants Blanche M. Simmons and Brian C. Simmons from directly or indirectly selling, assigning, dissipating, concealing, impairing, disposing of, transferring, or otherwise encumbering in any manner the funds received by Defendants from The P&G Trust Plan or proceeds from the same;
2. Temporarily restraining Defendants Blanche M. Simmons and Brian C. Simmons from tampering with, disposing of, or otherwise failing to maintain financial records relating to all funds received from The P&G Trust Plan;

3. Requiring Defendants Blanche M. Simmons and Brian C. Simmons to provide within 10 days a sworn accounting identifying the location of all funds received by Defendants from The P&G Trust Plan, including identification of all accounts where said funds are held, all distributions, if any, made from the funds, and the existence of any assets, including real property, purchased with said funds; and

4. This Temporary Restraining Order takes effect prospectively from the moment Defendants Blanche M. Simmons, Brian C. Simmons, are served with this Order or are otherwise informed of this Order, whichever is sooner.

6. This matter is set for hearing on December 13, 2005 at 8:30 a.m. upon P&G's application for a temporary injunction.

IT IS SO ORDERED, this 30th day of November, 2005, at Jackson, Tennessee

James D. Todd
District Judge

APPROVED FOR ENTRY:



Notice of Distribution

This notice confirms a copy of the document docketed as number 3 in case 1:05-CV-01365 was distributed by fax, mail, or direct printing on December 6, 2005 to the parties listed.

Helen F. Bean
BAKER DONELSON BEARMAN CALDWELL & BERKOWITZ- Nashville
211 Commerce St.
Ste. 1000
Nashville, TN 37201

Charles K. Grant
BAKER, DONELSON, BEARMAN, CALDWELL & BERKOWITZ, P.C.
211 Commerce Street, Suite 1000
Nashville, TN 37201

Honorable James Todd
US DISTRICT COURT